

VZCZCXRO8785
PP RUEHGR
DE RUEHWN #0121/01 0581540
ZNR UUUUU ZZH
P 271540Z FEB 08
FM AMEMBASSY BRIDGETOWN
TO RUEHC/SECSTATE WASHDC PRIORITY 6138
INFO RUCNCOM/EC CARICOM COLLECTIVE
RUEHDG/AMEMBASSY SANTO DOMINGO 5914
RUEHBJ/AMEMBASSY BEIJING 0287
RUEHPU/AMEMBASSY PORT AU PRINCE 1979
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC
RUEAWJA/DEPT OF JUSTICE WASHDC
RUEATRS/DEPT OF TREASURY WASHDC
RUEHC/DEPT OF LABOR WASHDC

UNCLAS SECTION 01 OF 05 BRIDGETOWN 000121

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SENSITIVE
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STATE FOR G/TIP, G, INL, DRL, PRM, AND WHA/CAR
STATE PASS TO USAID/LAC/CAR-BOUNCY

E.O. 12958: N/A
TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [ELAB](#) [SMIG](#) [PREF](#) [DO](#) [XL](#)
SUBJECT: TIP SUBMISSION - DOMINICA

REF: A. STATE 2731
[B](#). 07 BRIDGETOWN 1562

[1](#). (U) As requested (ref A), below are Post's responses to questions regarding Dominica for the annual Trafficking in Persons Report.

Para 27 - Overview

[2](#). (SBU)

[A](#). Is the country a country of origin, transit, and/or destination for internationally trafficked men, women, or children?

There are no official reports that Dominica is a country of origin, transit, or destination for trafficked men, women, or children. However, no investigations, studies, or surveys have been done. Anecdotal evidence suggests that limited trafficking might exist around the sex trade and labor market. Trafficking may also exist in the form of forced transactional sex of minors. In the sex trade, potential trafficking victims are likely women from the Dominican Republic. In the labor market, potential victims would be Chinese migrants. Any minor children forced into transactional sex relationship would be native Dominicans.

[B](#). Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g., changes in direction).

Since last year's report, there seems to be a slowly growing awareness that trafficking victims might exist in Dominica (ref B). However, no further actions or studies have been taken. Concern that prostitutes from the Dominican Republic and Chinese laborers may be trafficking victims is increasing. The number of Haitians entering Dominica legally, but leaving illegally has been on a drastic decline. Authorities generally believe that this is a smuggling or migration phenomenon rather than a trafficking problem.

[C](#). Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the lead?

The Women's Bureau, the Welfare Division, the Labor

Commission, the Police Department, the Immigration Department, and the Coast Guard all play a role in monitoring sectors potentially involved with human trafficking, but there is no coordinated anti-trafficking effort.

1D. What are limitations on the government's ability to address this problem in practice?

The government has limited resources to effectively monitor migration and enforce labor or prostitution laws. Social services are also understaffed and under-funded. There is also limited political will to counter trafficking as officials generally believe it does not exist in Dominica.

1E. To what extent does the government monitor its anti-trafficking efforts?

The government has no formal anti-trafficking efforts.

Para 28 - Investigations and Prosecutions of Traffickers

13. (SBU)

1A. Does the country have a law specifically prohibiting trafficking in person--both for sexual and non-sexual purposes (e.g., forced labor)? If so, please specifically cite the name of the law and its date of enactment. Does the law(s) cover both internal and external (transnational) forms of trafficking? If not, under what other laws can traffickers be prosecuted?

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Although the Immigration and Passport (Amendment) Act of 2003 (No. 19 of 2003) makes provision for offense of human trafficking, the text of the law is actually designed to combat human smuggling. It was enacted November 28, 2003.

1B. What are the penalties for trafficking people for sexual exploitation?

Persons convicted of trafficking (smuggling) are subject to a fine of USD 37,500 and/or up to seven years' imprisonment.

1C. Punishment of Labor Trafficking Offenses: What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude? Do the government's laws provide for criminal punishment--i.e., jail time--for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being exploited in the destination country? For employers or labor agents in labor destination countries who confiscate workers' passports or travel documents, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service? If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses?

Although labor trafficking cases could be prosecuted under the law, any cases of confiscated passports or other offenses would likely be resolved through the Labour Division.

1D. What are the prescribed penalties for rape or forcible sexual assault? How do they compare to the prescribed and imposed penalties for crimes of trafficking for commercial sexual exploitation?

The penalty for rape is a maximum sentence of 25 years' imprisonment. The penalty for trafficking for commercial sexual exploitation is less severe in terms of imprisonment (7 years'), but carries a possible fine of up to USD 37,500.

¶E. Is prostitution legalized or decriminalized? Specifically, are the activities of the prostitute criminalized? Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized? Are these laws enforced?

Prostitution, as well as pimping, running a brothel, or other related activities, is illegal. The police forces do not have the resources to sufficiently enforce these laws.

¶F. Has the government prosecuted any cases against human trafficking offenders?

Not during the reporting period.

¶G. Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

No.

¶H. Does the government cooperate with other governments in the investigation and prosecution of trafficking cases? If possible, can post provide the number of cooperative international investigations on trafficking?

No.

¶I. Does the government extradite persons who are charged with trafficking in other countries? If so, can post provide the number of traffickers extradited? Does the government extradite its own nationals charged with such offenses?

N/A

¶J. Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level?

No.

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¶K. If government officials are involved in trafficking, what steps has the government taken to end such participation? Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption? Have any been convicted? What sentence(s) was imposed? Please provide specific numbers, if available.

N/A

¶L. N/A

¶M. If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or depored/extradited to their country of origin?

There are no reports of child sex tourism.

Para 29 - Protection and Assistance to Victims

¶4. (SBU)

¶A. Does the government assist trafficking victims, for example, by providing temporary to permanent residency status, or other relief from deportation?

There have been no reports of any victims. If there were victims, the Women's Bureau and the Dominican National Council of Women (DNCW), an NGO focused on women's issues, would provide counseling. Currently, there are no provisions for temporary to permanent residency status.

1B. Does the country have victim care facilities which are accessible to trafficking victims?

The DNCW provides shelter for victims of gender-based crimes and could use this shelter for trafficking victims.

1C. Does the government provide funding or other forms of support to foreign or domestic NGOs and/or international organizations for services to trafficking victims?

No.

1D. Do the government's law enforcement, immigration, and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact?

No.

1E. N/A

1F. Are the rights of victims respected? Are victims detained or jailed? If detained or jailed, for how long? Are victims fined? Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

An understanding of the importance of protecting the victims is increasing in Dominica. However, it is still likely that victims would be prosecuted for immigration violations or charges of prostitution.

1G. Does the government encourage victims to assist in the investigation and prosecution of trafficking?

N/A

1H. What kind of protection is the government able to provide for victims and witnesses? Does it provide these protections in practice? What type of shelter or services does the government provide?

The Women's Bureau or DNCW may be able to help a victim find shelter.

1I. Does the government provide any specialized training for

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government officials in identifying trafficking victims and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

No.

1J. Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

N/A

1K. Which international organizations or NGOs, if any, work with trafficking victims? What type of services do they provide? What sort of cooperation do they receive from local authorities? NOTE: If post reports that a government is incapable of assisting and protecting TIP victims, then post should explain thoroughly. Funding, personnel, and training constraints should be noted, if applicable. Conversely, the lack of political will to address the problem should be noted as well.

The Women's Bureau, as well as other involved government agencies, are understaffed and under-funded to research and combat trafficking in persons effectively. As there are no documented cases at this time, there is little political will to invest in anti-trafficking measures.

Para 30 - Prevention

15. (SBU)

1A. Does the government acknowledge that trafficking is a problem in the country?

No.

1B. Are there, or have there been government-run anti-trafficking information or education campaigns conducted during the reporting period?

No.

1C. What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

The Women's Bureau has a close working relationship with DNCW on various gender issues. Together, these organizations are slowly starting to raise awareness around potential trafficking issues in Dominica.

1D. Does the government monitor immigration and emigration patterns for evidence of trafficking? Do law enforcement agencies screen for potential trafficking victims along borders?

No.

1E. Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force? Does the government have a trafficking in persons working group or a single point of contact? Does the government have a public corruption task force?

No.

1F. Does the government have a national plan of action to address trafficking in persons? If so, which agencies were involved in developing it? Were NGOs consulted in the process? What steps has the government taken to disseminate the action plan?

No.

1G. What measures has the government taken during the reporting period to reduce the demand for commercial sex acts?

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None.

1H. N/A

1I. N/A
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